

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DAVID ISAAC GARCIA.

Plaintiff,

vs.

No. 1:19-cv-01223-WJ-KRS

FNU ALIMON, *et al.*,

Defendants.

ORDER TO CURE DEFICIENCY

Plaintiff submitted an Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2). The Court determines that Plaintiff's Application is missing the required **certified copy of Plaintiff's inmate account statement** for the 6-month period immediately preceding this filing. See 28 U.S.C. § 1915(a)(2). Section 1915 states:

“A prisoner seeking to bring a civil action . . . shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint. . .”

28 U.S.C. § 1915(a)(2). The standard form application to proceed under § 1915 also requires:

“If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.”

(Doc. 2 at 2). Plaintiff has not submitted the certified inmate account statement as required by § 1915(a)(2) and the Application form. Failure to cure the designated deficiency within thirty (30) days from entry of this Order may result in dismissal of this action without further notice.

IT IS ORDERED that Plaintiff cure the designated deficiency by submitting the required certified copy of Plaintiff's inmate account statement for the 6-month period immediately preceding this filing within thirty (30) days from the date of this Order.

A handwritten signature in black ink, appearing to read "Kevin Smeagala". The signature is written in a cursive, flowing style.

UNITED STATES MAGISTRATE JUDGE